

1995—No. 464

CROWN LANDS ACT 1989—REGULATION

(Crown Lands Regulation 1995)

NEW SOUTH WALES



[Published in Gazette No. 105 of 1 September 1995]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Crown Lands Act 1989, has been pleased to make the Regulation set forth hereunder.

KIM YEADON,
Minister for Land and Water Conservation.

PART 1—PRELIMINARY

Citation

1. This Regulation may be cited as the Crown Lands Regulation 1995.

Commencement

2. This Regulation commences on 1 September 1995.

Definitions

3. (1) In this Regulation:

“**approved form**” means a form approved by the Minister under subclause (2) for the purposes of the provision of this Regulation in relation to which the expression is used;

“**Department**” means the Department of Land and Water Conservation;

“**office of the State Lands Services**” means a district office of the State Lands Services of the Department or the Sydney office of the Department;

“**the Act**” means the Crown Lands Act 1989.

(2) The Minister may approve forms for the purposes of this Regulation.

Fees and deposits

4. The fees and deposits specified in Schedule 1 are payable in respect of the matters referred to in that Schedule.

Minerals in relation to land not in an irrigation area or special land district

5. For the purposes of paragraph (a) of the definition of “mineral” in section 3 of the Act, the substances prescribed as minerals, in relation to land not in an irrigation area or a special land district, are those specified in Schedule 2.

Divisions of the State—alteration or redefinition

6. For the purposes of section 4 (4) (a) of the Act, a notice describing a proposal to alter or redefine the boundary between the Eastern and Central Division and the Western Division of the State is required to be published:

- (a) in a newspaper circulating in the locality in which the alteration or redefinition of the boundary is to be made; or
- (b) in a newspaper circulating generally in the State.

PART 2—ADMINISTRATION**Custody of seal of Ministerial Corporation**

7. The seal of the Ministerial Corporation is to be kept in the custody of the Director-General of the Department.

Use of seal of Ministerial Corporation

8. The seal of the Ministerial Corporation may be affixed to an instrument or document only:

- (a) in the presence of the Minister or a person authorised by the Ministerial Corporation for the purposes of this clause; and
- (b) with an attestation by the signature of the Minister or person of the fact of the affixing of the seal.

Records of Ministerial Corporation

9. The Director-General of the Department is required to keep written records containing details of all acts, decisions and proceedings of the Ministerial Corporation.

Jurisdiction of local land boards

10. (1) For the purposes of section 22 (1) (b) of the Act, the Minister may refer any of the following matters to a local land board or a Chairperson sitting alone for inquiry and report:

- (a) any matter arising out of the administration of any land, lease or licence which the Minister or the Ministerial Corporation administers under any arrangement entered into under section 18 of the Act;
- (b) any matter arising out of the administration of any land, lease or licence which the Minister or the Ministerial Corporation administers on behalf of the Crown;
- (c) any matter arising out of the administration of any land dedicated under the Act or the Crown Lands Acts or of any common within the meaning of the Commons Management Act 1989.

(2) In this clause, a reference to the administration of any land includes a reference to the use and management of the land.

Registrar of Local Land Boards

11. (1) The Director-General of the Department is required to appoint a Registrar of Local Land Boards for each land district.

(2) One Registrar may be appointed for several land districts.

Registrar to bring matters before board

12. Subject to any direction by the Chairperson or the Senior Chairperson, the Registrar of Local Land Boards must bring all matters before the local land board or the Chairperson as soon as practicable after they are received.

Notice of proceedings before board

13. Notice of the time and place appointed for any proceedings before the local land board or Chairperson, and of the nature of the proceedings:

- (a) is to be in the approved form; and
- (b) is. to be served on the parties to the proceedings not less than 14 days before the time appointed for the proceedings (or such lesser period as may be directed by the chairperson).

Substituted service of notice of proceedings

14. (1) If for any reason it is not possible or practicable to effect service of a notice of proceedings before a local land board or the

Chairperson, the Chairperson may give directions for service or for the substitution of the advertisement of the proceedings in a newspaper circulating in the locality or in the State.

(2) If those directions are carried out, service of notice is to be taken to have been effected.

Proceedings may be heard in absence of a party

15. If the local land board or Chairperson is satisfied that notice of the time and place appointed for any proceedings has been given to a party, the board or Chairperson may proceed and adjudicate in the absence of that party.

Issue of summons

16. (1) Any summons to give evidence or for the production of deeds or other documents to the local land board:

- (a) may be issued by the Chairperson or other member of the local land board on payment of the fee specified in Schedule 1; and
- (b) is to be in the approved form.

(2) A telephonic generated facsimile of a summons issued by the Chairperson or other member of the local land board which is certified by a Registrar as having been received from the Chairperson or member may be dealt with as if it is the original summons.

Allowances payable to witnesses before local land boards

17. For the purposes of clause 3 (e) of Schedule 2 to the Act, the allowances for attendance and travelling payable to witnesses before a local land board are the same as those payable from the to time to witnesses, attending Local Courts..

Form of warrant to apprehend witness

18. For the purposes of clause 3 (f) of Schedule 2 to the Act, the prescribed form of warrant to bring a person before a local land board to give evidence is the form specified in Schedule 3.

Appeal against local land board decision

19. For the purposes of section 26 of the Act, an appeal to the Land and Environment Court against a decision of a local land board is to be made:

- (a) by filing an application in accordance with the Land and Environment Court Rules 1980; and

- (b) by paying the appropriate fees in accordance with the Land and Environment Court (Fees) Regulation 1994.

PART 3—LAND ASSESSMENT

Land evaluation criteria

20. For the purposes of section 32 of the Act the prescribed land evaluation criteria are as follows:

- (a) the susceptibility of:
 - (i) the land to hazards, including fire, flood, landslip, subsidence and coastline hazards; and
 - (ii) the land and any catchment of which the land forms part to degradation, including soil erosion, salinity, waterlogging, soil structure decline, soil acidity, tree decline and weed invasion;
- (b) the significance of:
 - (i) inherent natural, catchment, cultural and heritage values, including scenic, habitat, scientific and water body features; and
 - (ii) ecological values, including the presence of representative, rare or endangered species or communities of flora or fauna and wildlife corridors; and
 - (iii) natural resources, including minerals, extractive materials, timber resources, surfacewaters and groundwaters;
- (c) the ecological sustainability of potential land uses of the land and any catchment of which the land forms part.

Notification and public comment on land assessments

21. (1) This clause applies to draft land assessments which are part of the programme for the assessment of Crown land instituted by the Minister under Part 3 of the Act.

(2) The Minister is required to cause notice of the preparation of any draft land assessment to be published in:

- (a) the Gazette; and
- (b) a newspaper circulating in the locality in which the land concerned is situated or in a newspaper circulating generally in the State.

(3) Any such notice must:

- (a) invite representations from the public concerning the draft land assessment; and
- (b) specify the place and time at which the draft land assessment may be inspected by the public; and
- (c) specify the period (being not less than 28 days) within which any representations may be made and the person to whom they are to be sent.

PART 4—SALE, LEASE OR OTHER DISPOSAL OF CROWN LAND

Application for consent to transfer

22. (1) This clause applies to an application for consent to transfer land which is subject to a recording under the following provisions of the Act:

- (a) section 36 (4) (a) (condition in contract for sale);
- (b) section 37 (2) (a) (conditions on a sale to a purchaser);
- (c) section 38 (a) (transfer restrictions on purchases);
- (d) section 44 (1) (a) (transfer restrictions on leases).

(2) Any such application to transfer land:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services together with the fee specified in Schedule 1.

Activities prohibited on easements for public access

23. For the purposes of section 57 (1) of the Act, the following activities may not be carried on on land the subject of an easement for public access:

- (a) camping;
- (b) carrying or using firearms or any other weapon or thing used for hunting (other than a fishing rod, line or net);
- (c) lighting fires;
- (d) taking any animal onto the land;
- (e) damaging or injuring any fauna or flora;
- (f) setting traps;

- (g) driving any motor vehicle, trail bike or other vehicle propelled by mechanical power (except if a sign is displayed with the authority of the Minister on the site of the easement authorising the use of any such vehicle);
- (h) depositing or leaving any rubbish, litter, dead animal or other similar matter.

Structures that may be erected on easements for public access

24. For the purposes of section 58 (1) (b) of the Act, the following type of structure (in addition to fences and gates) may be erected, without the written consent of the Minister, on land the subject of an easement for public access by the owner or lessee of land affected by the easement:

Cattle ramp

Enclosure of roads or watercourses

25. For the purposes of section 61 (1) of the Act, an application for a permit to enclose wholly or in part any road or watercourse:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services together with the fee specified in Schedule 1.

Enclosure of additional roads or watercourses

26. For the purposes of section 62 (1) of the Act, an application by the holder of an enclosure permit to enclose any additional road or watercourse:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services together with the fee specified in Schedule 1.

Transfer of land with which enclosure permit held

27. For the purposes of section 64 (2) of the Act:

- (a) the prescribed manner of notifying the Department of the transfer of land with which an enclosure permit is held is by a notice in writing lodged with an office of the State Lands Services together with the fee specified in Schedule 1; and
- (b) the prescribed time for giving that notice is within 28 days of the date of the transfer.

Amalgamation of enclosure permits

28. For the purposes of section 68 (1) of the Act, an application by the holder of 2 or more enclosure permits to amalgamate the permits:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services together with the fee specified in Schedule 1.

Application for direction to provide gates or other access

29. For the purposes of section 69 (1) of the Act, an application for a direction by a local land board under section 70 of the Act:

- (a) is to be in the approved form; and
- (b) is to be lodged with the Registrar of Local Land Boards for the land district in which the land is situated together with the fee specified in Schedule 1.

Cultivation of enclosed roads

30. For the purposes of section 72 (1) of the Act, an application for a dispensation from a requirement to erect gates or provide other means of access to, and an authority to cultivate, an enclosed road:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services together with the fee specified in Schedule 1.

PART 5—DEDICATION AND RESERVATION OF LAND**Disclosure of pecuniary interests**

31. For the purposes of clause 1 (3) of Schedule 4 to the Act, the prescribed fee for inspection of the book containing particulars of disclosures of pecuniary interests of members of a trust board is the fee specified in Schedule 1.

Temporary licences

32. For the purposes of section 108 of the Act:

- (a) in addition to grazing, the purposes for which a temporary licence may be granted are as follows:
 - Advertising
 - Camping using a tent, caravan or otherwise

Catering
Entertainments
Equestrian events
Exhibitions
Functions
Hiring of equipment
Holiday accommodation
Markets
Meetings
Sales
Shows
Sporting and organised recreational activities
Stabling of horses

- (b) in addition to any other condition subject to which a temporary licence is granted, the licence is subject to the condition that the relationship of landlord and tenant is not created between the parties; and
- (c) unless it is revoked sooner or is granted for a shorter period, a temporary licence ceases to have effect one year after it is granted.

Reserve trust reports

33. (1) For the purposes of section 122 (1) (a) of the Act, a reserve trust must furnish to the Minister each year, within 3 months of the close of the trust's financial year, a report on its activities.

(2) Any such report is to include details of income, expenditure, assets, liabilities, improvements effected, leases and licences granted or in force, uses made of the reserve and any particulars of pecuniary interests recorded in the book referred to in clause 31.

(3) If directed by the Minister by notice in writing to do so, a reserve trust must arrange for any such report to be audited by a person approved by the Minister.

Reserve trust records

34. For the purposes of section 122 (1) (b) of the Act, a reserve trust must keep the records specified in Schedule 4.

Notification and public comment on draft plans of management

35. (1) This clause applies to a plan of management under Division 6 of Part 5 of the Act which is required (before its adoption by the Minister) to be placed on public display.

(2) The Minister is required to cause notice of a plan of management to be published in:

- (a) the Gazette; and
- (b) a newspaper circulating in the locality in which the land concerned is situated or in a newspaper circulating generally in the State.

(3) Any such notice must:

- (a) invite representations from the public concerning the plan; and
- (b) specify the place and time at which the plan may be inspected by the public; and
- (c) specify the period (being not less than 28 days) within which any representations may be made and the person to whom they are to be sent.

PART 6—MISCELLANEOUS**Compensation for land withdrawn from lease or licence**

36. For the purposes of section 136 (5) of the Act, a reference in the Land Acquisition (Just Terms Compensation) Act 1991 to an acquisition notice is to be read as a reference to a withdrawal notification under section 136 (1) of the Crown Lands Act 1989.

Surrender of land

37. (1) For the purposes of section 137 of the Act, an application for the Minister's consent to surrender any land or any lease from the Crown under the Act or the Crown Lands (Continued Tenures) Act 1989:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services together with the deposit specified in Schedule 1 towards the cost of dealing with the surrender.

(2) If the Minister consents to the surrender, the holder of the land or the lease must lodge an instrument in the approved form with an office of the State Lands Services together with:

- (a) the balance, if any, of the cost of dealing with the surrender; and
- (b) the Crown grant or certificate of title, if any, relating to the land the subject of the surrender.

(3) If the deposit in Schedule 1 exceeds the cost of dealing with the surrender, the balance is to be refunded.

(4) If a surrender is proposed to be made at the instance or for the benefit of the Crown, application for the Minister's consent is not required and no costs may be charged.

Change of conditions or purposes

38. For the purposes of section 139 (1) of the Act, an application by the holder for the alteration, modification or revocation of, or addition to, any condition attaching to a holding or land or the purposes of a holding:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services together with the fee specified in Schedule 1.

Exemption from conditions

39. For the purposes of section 139 (2) of the Act, an application by the holder for exemption from complying with a condition attaching to a holding or land:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services together with the fee specified in Schedule 1.

Objections to, and appeals against, determination or redetermination of rent

40. (1) For the purposes of section 142 (3) of the Act, an objection to the Minister's determination or redetermination of the rent of a lease, licence or enclosure permit:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services within 28 days of service on the holder of the notice of the determination or redetermination of the rent.

(2) For the purposes of section 142 (5) (a) of the Act, notice of an appeal to the local land board against the Minister's decision on any such objection:

- (a) is to be in the approved form; and
- (b) is to be lodged with the Registrar of Local Land Boards for the land district in which the land is situated, within 28 days of service on the objector of the Minister's decision on the objection, together with the fee specified in Schedule 1.

(3) The Registrar of Local Land Boards must, as soon as practicable after the receipt of the notice of appeal, give notice of the appeal to all persons directly affected by the Minister's decision on the objection.

(4) For the purposes of section 142 (5) (b) of the Act, an appeal to the Land and Environment Court against the Minister's decision on an objection referred to in section 142 (3) and (4) of the Act is to be made:

- (a) by filing an application in accordance with the Land and Environment Court Rules 1980; and
- (b) by paying the appropriate fees in accordance with the Land and Environment Court (Fees) Regulation 1994.

Classes of holding—payment of arrears

41. For the purposes of section 144 of the Act, the following classes of holding are prescribed:

- (a) any lease or licence under the Act;
- (b) any incomplete purchase, perpetual lease, term lease, yearly lease, special lease or permissive occupancy under the Crown Lands (Continued Tenures) Act 1989.

Minimum rents

42. (1) For the purposes of section 146 of the Act:

- (a) the minimum annual rent of a holding is \$70; and
- (b) the minimum annual rent of an enclosure permit in relation to which the Minister has authorised the cultivation of the land enclosed is \$70; and
- (c) the minimum annual rent of any other enclosure permit is \$50.

(2) Pursuant to clause 25 of Schedule 8 to the Act, section 146 of the Act and this clause apply to a lease to the Commonwealth referred to in Part 8 of Schedule 2 to the Crown Lands (Continued Tenures) Act 1989 as if it were a holding.

Interest on arrears

43. For the purposes of sections 148 (2) and 150 (2) (a) of the Act, the prescribed rate of interest is 15 per cent per annum.

Rebates of rent

44. For the purposes of section 151 of the Act, the following classes of holder are prescribed:

- (a) an eligible pensioner (as defined in the Local Government Act 1993) whose holding is occupied as his or her sole place of residence (or is an adjunct thereto) and is not used for any commercial purpose;
- (b) a community service, sporting or recreational organisation:
 - (i) which is the holder of an authority under the Charitable Fundraising Act 1991; or
 - (ii) which is incorporated under the Associations Incorporation Act 1984; or
 - (iii) which the Minister is satisfied is a non-profit organisation, whose holding is used as a help or service facility of benefit to the general community or as an active sporting, passive recreational or youth advancement facility of general benefit to a local community.

Protection of public land—authorised persons

45. For the purposes of paragraph (b) of the definition of “authorised person” in section 153 of the Act, the following offices, positions and ranks are prescribed (except for the purposes of section 159 of the Act):

Department of Land and Water Conservation

Director-General
Regional Director
Manager, Land and Water Administration
Manager, Land and Water Management
Manager, Remote Area and Executive Support
Manager, Resource Planning and Assessment

State Lands Services of the Department

Executive Director
Deputy Director
Manager, State Lands Services (name of region)
State Lands Services, Manager (name of place)
Surveyor
Lands Officer, District Office, Class 1 and above
Clerk, District Office, Grade 5 and above
Assistant Western Lands Commissioner
Rangelands Management Inspector

Integrated Catchment Management Services of the Department

Soil Conservationist
Field Supervisor
Field Service Manager

Luna Park Reserve Trust

Administrator
General Manager
Luna Park Ranger

Luna Park Amusements Pty. Ltd.

Executive Director
Divisional Manager
Departmental Head

Dumping of materials

46. For the purposes of section 155 (1) (i) (ii) of the Act, the following classes or descriptions of matter are prescribed:

- (a) vehicles or parts of them;
- (b) marine craft or aircraft or parts of them;
- (c) household effects, appliances, materials or waste;
- (d) clothing;
- (e) agriculture, building, commercial or industrial materials or waste;
- (f) machinery, plant or equipment or parts of them;
- (g) chemicals or metals;
- (h) vegetable matter;
- (i) stone, sand, shells, clay, earth or ash;
- (j) radioactive material.

Unauthorised activities on public land

47. For the purposes of section 156 (1), (2) and (3) of the Act, the following activities are prescribed:

- (a) conducting any entertainment, instruction or performance for money or consideration of any kind;
- (b) operating television, cinematographic or photographic equipment for commercial purposes;
- (c) conducting or taking part in any sporting activity that forms part of an organised competition;
- (d) selling, offering for sale or distributing any article or thing;
- (e) affixing any sign, bill, poster, banner or bunting on, or to, any post, building, fence, seat, table, enclosure or other structure;
- (f) camping;
- (g) lighting of fires other than in a properly constructed fire place;
- (h) driving a vehicle or riding a horse;
- (i) carrying or using firearms;
- (j) discharging fireworks;
- (k) using any bow and arrow or throwing any stone or other dangerous missile;
- (l) drinking alcohol;
- (m) selling, offering for sale or otherwise providing alcohol to a person.

Penalty notices for certain offences

48. For the purposes of section 162 (1) of the Act, the prescribed offences are as follows:

- (a) an offence under section 155 (1) (a), (b), (c), (d), (e), (f), (h) or (i) of the Act;
- (b) an offence under section 156 (2) or (3) of the Act;
- (c) an offence under section 160 (6) of the Act.

Amount of penalty under penalty notice

49. For the purposes of section 162 (2) of the Act, the amount of penalty payable under a penalty notice is as follows:

- (a) in relation to an offence under section 155 (1) (a), (b), (c), (d), (e), (f), (h) or (i) of the Act—2 penalty units;
- (b) in relation to an offence under section 156 (2) or (3) of the Act—2 penalty units;

- (c) in relation to an offence under section 160 (6) of the Act—0.6 of a penalty unit.

Removal of improvements from holdings

50. For the purposes of section 174 (2) of the Act, an application by the former holder for permission to remove improvements on forfeiture, surrender or other determination of a holding:

- (a) is to be in the approved form; and
- (b) is to be lodged with an office of the State Lands Services together with the fee specified in Schedule 1.

Repeal

51. (1) The Crown Lands Regulation 1990 is repealed.

(2) Any act, matter or thing that, immediately before the repeal of the Crown Lands Regulation 1990, had effect under that Regulation is taken to have effect under this Regulation.

SCHEDULE 1—FEES AND DEPOSITS

(Cl. 4)

	\$
1. Issue of summons (clause 16)	36
2. Application for consent to transfer land which is subject to a recording under section 36 (4) (a), 37 (2) (a), 38 (a) or 44 (1) (a) (clause 22)	137
3. Application for enclosure permit (clause 25)	137
4. Application for additional enclosure permit (clause 26)	137
5. Notice of transfer of land with which enclosure permit held (clause 27)	52
6. Application for amalgamation of enclosure permits (clause 28)	137
7. Application for direction to provide gates or other access (clause 29)	137
8. Application for authority to cultivate an enclosed road etc. (clause 30)	137
9. Inspection of the book containing particulars of disclosures of pecuniary interests of members of trust board (clause 31)	23
10. Surrender of land (clause 37)	214
11. Application for alteration etc. of conditions or purposes (clause 38)	137
12. Application for exemption from conditions (clause 39)	137
13. Notice of appeal to local land board against Minister's determination or redetermination of rent (clause 40 (2))	57
14. Application by former holder to remove improvements on forfeiture, surrender or other determination of a holding (clause 50)	137

**SCHEDULE 2—SUBSTANCES DEFINED AS MINERALS IN RELATION
TO LAND NOT IN AN IRRIGATION AREA OR SPECIAL LAND
DISTRICT**

(Cl. 5)

Agate	Germanium	Platinum
Alum	Gold	Plumbago
Alumina	Graphite	Pyrophillites
Alunite	Gypsum	Quartz Crystal
Antimony	Halite	Radioactive
Apatite	Iceland Spar	Mineral
Arsenic	Ilmenite	Rare Earth
Arsenical Pyrites	Iron	Minerals
Asbestos	Iron Ore	Reef Quartz
Barytes	Ironstone	Rhodonite
Bauxite	Jade	Rock Salt
Beryllium and its ores	Kerosene	Rubidium
Bismuth	Laterite	Ruby
Borates	Lead	Rutile
Cadmium	Limestone	Sapphire
Caesium	Lithium	Scheelite
Calcite	Manganese	Selenium
Chalcedony	Magnesite	Shale
Chlorite	Marble	Shale Ash
Chromite	Mercury	Silver
Cinnabar	Mica	Steatite
Coal	Mineral Oils	Sulphur
Cobalt	Mineral Pigments	Talc
Columbium	Mineral Water	Tantalum
Copper	Molybdenite	Thorium
Corundum	Monazite	Tin
Cryolite	Natural Gas	Titanium
Diamond	Nephrite	Topaz
Diatomaceous	Nickel	Tourmaline
Earth	Opal	Tungsten and its ores
Dolomite	Osmiridium	Turquoise
Emerald	Oxide of Iron	Vanadium
Emery	Peat	Wolfram
Felspar	Perlite	Wollastonite
Fluorspar	Petroleum	Wulfenite
Fuller's Earth	Phosphates	Zinc
Galena	Pitchblende	Zircon
Garnet	Platinoid	Zirconia
	Minerals	

SCHEDULE 3—FORM OF WARRANT

(Cl. 18)

**CROWN LANDS ACT 1989
WARRANT TO APPREHEND A WITNESS**

To all police officers in the State of New South Wales:

WHEREAS

(hereinafter called the witness)

was served with a summons requiring appearance as a witness before the Local Land Board on
in the matter of
and was paid or tendered reasonable expenses for attendance but did not obey the summons. The hearing of the proceedings for which the witness is required is now set down at the

at on the day of 19
at the hour of

You are hereby ordered to apprehend the witness before that time and to take the witness before the Local Land Board to be dealt with according to law.

If this warrant is not executed before that time, you are ordered to return it to the Chairperson of the Local Land Board forthwith.

Dated this day of 19 .

Chairperson

SCHEDULE 4—RECORDS TO BE KEPT BY RESERVE TRUST

(Cl. 34)

1. *Where a reserve trust is managed by a trust board:*
 - (1) Minutes of all meetings.
 - (2) Receipts for all money received.
 - (3) Documentation of all expenditure.
 - (4) Cash Book.
 - (5) Bank deposit book.
 - (6) Plant and asset register.
2. *Where a reserve trust is managed by a council as defined in the Local Government Act 1993:*
 Such records as the council is required to keep under the Local Government Act 1993 and in such a manner that will permit dissection of:
 - (1) Monetary details in respect of each reserve from which the Council receives revenue of any nature; and
 - (2) Details of improvements effected on each reserve; and
 - (3) Details of all leases and licences granted or in force.
3. *Where a reserve trust is managed by a corporation other than a council as defined in the Local Government Act 1993:*
 Such records as the corporation is required to keep under the legislation under which it is established and in such a manner that will permit dissection of details of income, expenditure, assets, liabilities, improvements effected and leases and licences granted or in force in respect of the reserve separate from any other activity of the corporation.

NOTES**TABLE OF PROVISIONS****PART 1—PRELIMINARY**

1. Citation
2. Commencement
3. Definitions
4. Fees and deposits
5. Minerals in relation to land not in an irrigation area or special land district
6. Divisions of the State—alteration or redefinition

PART 2—ADMINISTRATION

7. Custody of seal of Ministerial Corporation
8. Use of seal of Ministerial Corporation

- 9. Records of Ministerial Corporation
- 10. Jurisdiction of local land boards
- 11. Registrar of Local Land Boards
- 12. Registrar to bring matters before board
- 13. Notice of proceedings before board
- 14. Substituted service of notice of proceedings
- 15. Proceedings may be heard in absence of a party
- 16. Issue of summons
- 17. Allowances payable to witnesses before local land boards
- 18. Form of warrant to apprehend witness
- 19. Appeal against local land board decision

PART 3—LAND ASSESSMENT

- 20. Land evaluation criteria
- 21. Notification and public comment on land assessments

PART 4—SALE, LEASE OR OTHER DISPOSAL OF CROWN LAND

- 22. Application for consent to transfer
- 23. Activities prohibited on easements for public access
- 24. Structures that may be erected on easements for public access
- 25. Enclosure of roads or watercourses
- 26. Enclosure of additional roads or watercourses
- 27. Transfer of land with which enclosure permit held
- 28. Amalgamation of enclosure permits
- 29. Application for direction to provide gates or other access
- 30. Cultivation of enclosed roads

PART 5—DEDICATION AND RESERVATION OF LAND

- 31. Disclosure of pecuniary interests
- 32. Temporary licences
- 33. Reserve trust reports
- 34. Reserve trust records
- 35. Notification and public comment on draft plans of management

PART 6—MISCELLANEOUS

- 36. Compensation for land withdrawn from lease or licence
- 37. Surrender of land
- 38. Change of conditions or purposes
- 39. Exemption from conditions
- 40. Objections to, and appeals against, determination or redetermination of rent
- 41. Classes of holding—payment of arrears
- 42. Minimum rents
- 43. Interest on arrears
- 44. Rebates of rent
- 45. Protection of public land—authorised persons
- 46. Dumping of materials
- 47. Unauthorised activities on public land
- 48. Penalty notices for certain offences
- 49. Amount of penalty under penalty notice

50. Removal of improvements from holdings

51. Repeal

SCHEDULE 1—FEES AND DEPOSITS

SCHEDULE 2—SUBSTANCES DEFINED AS MINERALS IN RELATION TO
LAND NOT IN AN IRRIGATION AREA OR SPECIAL LAND DISTRICT

SCHEDULE 3—FORM OF WARRANT

SCHEDULE 4—RECORDS TO BE KEPT BY RESERVE TRUST

EXPLANATORY NOTE

The object of this Regulation is to repeal the Crown Lands Regulation 1990 and to remake, without any major changes in substance, the provisions of that Regulation. The new Regulation deals with the following matters:

- (a) administrative matters (including the keeping and use of the seal of the Lands Administration Ministerial Corporation and the jurisdiction and proceedings of local land boards) (Part 2);
- (b) the prescribing of land evaluation criteria for the assessment of the capabilities and uses of Crown land and the advertising of draft land assessments (Part 3);
- (c) the prescribing of certain matters in relation to the sale, lease or other disposal of Crown land (including forms of application, fees and prohibited activities on easements for public access) (Part 4);
- (d) reserves and reserve trusts (including the purposes for which temporary licences may be granted over reserves and the advertisement of draft plans of management) (Part 5);
- (e) the prescribing of minimum annual rents of holdings and permits (clause 42);
- (f) the prescribing of a rate of interest on arrears (clause 43);
- (g) prescribing the classes of holders eligible for rebates of rent (clause 44);
- (h) prescribing activities which may be prohibited on public land (clause 47);
- (i) the prescribing of offences which may be dealt with by way of penalty notices (clauses 48 and 49);
- (j) other minor, consequential or ancillary matters (Part 1 and clauses 36–41, 45, 46, 50 and 51).

This Regulation is made under the Crown Lands Act 1989, including section 184 (the general regulation making power) and various sections referred to in the Regulation.

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.
